



Austin City Council MINUTES

SEPTEMBER 1, 1994 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all of the Council.

MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of August 11, 1994 and August 18, 1994; Special Meetings of August 15, 1994; August 17, 1994; August 22, 1994; and August 25, 1994.

Approved minutes of special meetings and postponed minutes of regular meetings on Councilmember Garcia's motion and Mayor Pro Tem Nofziger's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Brent White, to request that Council direct staff not to demolish any of the Bergstrom housing units.
3. Ms. Charlene Shillman, to request support of the Pryor Plan and support for an African American architect who has great affordable plans for the Museum of Fine Arts, Austin.
4. Mr. Amador Pena, to discuss the way APD and the judicial system in Austin is not meeting the concerns of our city in troubled and violent times.
5. Mr. Jon Hughes, to discuss blockades caught in semantics.
6. Mr. Ricky Bird, to discuss electricity and related issues.
7. Mr. Rick Thorsten, to discuss allowing Ecology Austin, a non-profit recycling organization to receive free dumping privileges of non-recyclable solid waste and to seek special dispensation to bring hazardous material to the City's hazardous waste collection facility.
Not present

ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve execution of two (2) twelve (12) month supply agreements for police uniforms with the following: MARTIN'S UNIFORMS, San Antonio, Texas, for the purchase of uniform trousers, in the amount of \$47,103; and BANKS AND COMPANY TROUSERS, (MBE), Houston, Texas, for the purchase of uniform shirts, in the amount of \$74,448,, for a total amount not to exceed \$121,551, with the option to extend each contract thereafter for two (2) additional twelve (12) month periods, in an amount not to exceed \$47,103 and \$74,448 respectively per extension, for a total amount not to exceed \$364,553. (Funding in the amount of \$10,129 is available in the 1993-94 operating budget of the Police Department; funding in the amount \$111,422 for the final eleven (11) months of the original contract and the extension options will be contingent upon available funding in future budgets.) Low responsive bid of three (3). No M/WBE Subcontracting opportunities were identified.
Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

ORDINANCES

9. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 225 to 629 Ralph Ablanedo Drive, Case No. C14-96-0046, from "DR" Development Reserve to "SF-4A-CO", Single Family Residence (small lot), MILBURN INVESTMENTS, INC., (Paul D. Shepherd). First reading on July 28, 1994; Vote 4-2-1, Councilmembers Shea and Goodman voting "No," and Garcia out of the room. Conditions met as follows: No conditions to be met. Second reading on August 18, 1994. Vote 5-2, Shea and Goodman voting "No."

Ordinance No. 940901-A approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-2 vote, Councilmember Goodman and Shea voting NO, Mayor Pro Tem Nofziger out of the room.

10. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1401 West Anderson Lane, Case No. C14-94-0069, from "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay, DRISCOLL MOTORS (Michael DRISCOLL), by Land Strategies, Inc. (Paul W. Linehan). First reading on July 28, 1994; Vote 6-1, Councilmember Goodman voting "No". Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed. Street deed for right-of-way dedication has been waived as the right-of-way has been dedicated through the subdivision process.

Ordinance No. 940901-B approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 5-0-1 vote, Councilmember Goodman abstained, Mayor Pro Tem Nofziger out of the room.

11. Amend Ordinance No. 891102-C granting Yellow Checker Cab Company a taxicab franchise by changing the name from Yellow Checker Cab Company to Yellow Cab Company. (No fiscal impact.); [Recommended by the Urban Transportation Commission]

Approved 1st reading only

12. Amend Ordinance No. 930915-A, the 1993-94 operating budget for the Recreation Softball Enterprise Fund, by increasing budgeted revenues by \$48,840 increasing expenditures by \$31,546, and increasing the ending balance by \$17,294, to fund increased expenses for softball leagues. (Funding is available from increased team registration revenue.)

Ordinance No. 940901-C approved

13. Authorize acceptance of \$15,657 from Travis County for the Senior Support Services Program; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating \$15,657 to the Parks and Recreation Department for a total appropriation of \$801,511; and authorize the City Manager to execute an agreement with Travis County for the provision of meal services to eligible participants.

Ordinance No. 940901-D approved

14. Authorize acceptance of an increase of \$5,000 in grant funds from the Texas Department of Health for the HIV Surveillance Grant; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating an additional \$5,000, for a total HIV Surveillance Grant amount of \$85,446 in grant funds for the Health and Human Services Department Special Revenue Fund. Ordinance No. 940901-E approved

Items 11-14 approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

15. Authorize acceptance of up to \$9,382,138 in contract funds from the Texas Department of Human Services for Child Care Management Services; amend Ordinance No. 930915-A, the 1993-94 operating budget,, amending the Special Revenue Fund by appropriating \$9,382,138 in contract funds for the Health and Human Services Department special revenue fund; and authorizing 37.0 contract funded full-time equivalent (FTE) positions. (Related to Item 22)

Ordinance No. 940901-T approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

16. Amend Ordinance No. 930915-A, the 1993-94 operating budget, by decreasing the General Fund Contingency Reserve Fund by \$69,700 and appropriating \$69,700 to the Austin Fire Department to fund a services agreement for repair of an Austin Fire Department pumper truck. (Related to Item 21)

Ordinance No. 940901-F approved

CableVision (Items 17-20)

17. Suspend the effective date of Austin CableVision's existing cable rates for basic service and related equipment and installation charges for ninety (90) days. (No fiscal impact.) [Recommended by Council Committee on Telecommunications Infrastructure.]
Ordinance No. 940901-G approved

18. Suspend the effective date of Galaxy CableVision's existing cable rates for basic service and related equipment and installation charges for one hundred fifty (150) days. (No fiscal impact.) [Recommended by Council Committee on Telecommunication Infrastructure.]
Ordinance No. 940901-H approved

RESOLUTIONS

19. Request Austin CableVision to reinstate on a full-time basis, the channels for C-SPAN II, Bravo, and the Faith and Values Network. (No fiscal impact.) [Recommended by the Council Committee on Telecommunications Infrastructure and the Cable Commission]
Approved

20. Approve the new location of Austin CableVision's local origination studio. (No fiscal impact.) [Recommended by Council Committee for Telecommunications Infrastructure]
Approved
21. Approve execution of a contract with SPECIAL EQUIPMENT SERVICE, Kaufman, Texas, for the cab replacement and associated equipment repair of an Austin Fire Department pumper truck, in an amount not to exceed \$63,400. (Funding is available in the 1993-94 amended operating budget of the Austin Fire Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified. (Related to Item 16)
Approved

Items 16-21 approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

22. Approve negotiation and execution of a twelve (12) month contract with the Texas Department of Human Services for City-provided Child Care Management Services at a State funded cost for the first year of \$9,382,138, with four (4) twelve (12) month renewal periods. (Related to Item 15)

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

23. Approve negotiation and execution of a contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., Redlands, California, for the purchase of three (3) complete geographic informations system workstations for the Public Works and Transportation Department, in an amount not to exceed \$99,461. (Funding is available in the 1994 operating budget of the Public Works and Transportation Department.) Single bid. 73% MBE, 0% WBE Subcontractor participation.
Approved
24. Authorize negotiation and execution of an Interlocal Agreement with TEXAS DEPARTMENT OF TRANSPORTATION for the construction of drainage improvements in the Giddings to Llano Railroad Right-of-Way. (No fiscal impact - All costs to be paid by the Texas Department of Transportation.)
Approved
25. Approve a contract award to AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the construction of four (4) erosion control projects at Parker Lane, Glen Ora, Kenilworth Dr., and Hillside Apartments, located on Dawson Road, as part of the Erosion Control Group 4 Project, in the amount of \$297,511. (Funding was included in the 1993-94 Capital budget of the Drainage Fund.) Low bid of four (4). 10.02% MBE, 5.74% WBE Subcontractor participation. (Recommended by the Environmental Board)
Approved
26. Approve the selection of S.A. GARZA ENGINEERS, INC., (MBE), Austin, Texas, to provide engineering and associated services for the 1994 Wastewater Lift Stations Relief Improvements Project, in the estimated amount of \$110,000. (Funding was

included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Best qualification statement of eleven (11). 10% MBE, 15% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)
Approved

Items 23-26 approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

27. Approve a construction award to H.B. ZACHRY COMPANY, San Antonio, Texas, for sludge composting pad improvements at the Hornsby Bend Wastewater Treatment Plant, in the amount of \$895,971. (Funding was included in the 1992-93 Capital budget of the Environmental and Conservation Services Department.) Low bid of five (5). 7.11% MBE, 6.28% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 6-1 vote, Councilmember Mitchell voting NO.

28. Approve execution of a contract award to SENSORMATIC ELECTRONICS CORPORATION, Austin, Texas, for security systems improvements at Robert Mueller Municipal Airport, in the amount of \$209,097. (Funding was included in the 1993-94 Capital budget of the Aviation Department.) Low bid of four (4) 0.96% MBE, 2.15% WBE Subcontractor participation. (Reviewed by the Airport Advisory Board)
Approved

29. Approve execution of twelve (12) month lease with HOLT COMPANY, San Antonio, Texas, for the lease of four (4) Caterpillar 615C Scrapers for use at the City Landfill, including maintenance and insurance, in the amount of \$309,600 with the option to extend for three (3) twelve (12) month periods in the amount of \$309,600, per extension, for a total amount not to exceed \$1,238,400. [Funding in the amount of \$24,800 is available in the 1993-94 operating budget of the Solid Waste Services operating fund. The remaining \$284,800 is contingent upon approval of the Proposed Fiscal Year 1994-95 operating budget. Funding for the remaining three (3) twelve (12) month extension options will be contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved

30. Approve execution of a contract with DAVIS TRUCK & EQUIPMENT COMPANY OF SAN ANTONIO, INC., San Antonio, Texas, for the purchase of five (5) hydraulic pusher trailers for use by the Curb-side Brush and Bulky Pickup program, in an amount not to exceed \$191,940 with two (2) twelve (12) month extension options to purchase up to five (5) additional trailers in each option period, in an amount not to exceed \$191,940, for a total contract amount not to exceed \$575,820. (Funding is available in the 1993-94 Capital Budget for Solid Waste Services.) Single bid. No M/WBE Subcontracting opportunities were identified.
Approved

31. Approve a twelve (12) month Interlocal Agreement with CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY (CAPITAL METRO), Austin, Texas, for Capital Metro to sell bus ticket booklets and passes for City employees under the City of Austin Bus Pass Program, in an amount not to exceed \$30,000, with the option to extend the agreement for up to two (2) additional twelve (12) month extension periods in an amount not to exceed \$30,000 for each twelve (12) month period, for a total amount not to exceed \$90,000. (Funding in the amount of \$20,000 is available in the proposed 1994-95 operating budgets of each participating department. Funding in the amount of \$10,000 will be paid by participating City employees. Funding for the extension options is contingent upon approval of future budgets.)
Approved

32. Approve execution of a twelve (12) month supply agreement with POLLOCK PAPER DISTRIBUTORS, Austin, Texas, for coarse paper products (paper towels, napkins, wipes) for use by all City departments, in an amount not to exceed \$125,328.50 with two (2) twelve (12) month extension options in an amount not to exceed \$125,328.50 per extension, for a total amount not to exceed \$375,985.50. [Funding in the amount of \$10,444.04 is available in the 1993-94 operating budget of the user departments. Funding for the remaining eleven (11) months (\$114,884.46) and the extension options is contingent upon available funding in future budgets.] Low bid of seven (7) meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved

Items 28-32 approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

33. Approve execution of a twelve (12) month contract with NATIONAL BANCARD CORPORATION, Fort Lauderdale, Florida, to provide bank card acceptance capabilities at various City offices, for an estimated amount not to exceed \$53,185.75 with two (2) twelve (12) month extension options in an amount not to exceed \$53,185.75 per extension, for a total estimated amount not to exceed \$159,557.25. [Funding in the amount of \$4,432.10 is available in the 1993-94 operating budgets of the user departments. Funding in the amount of \$48,753.15 for the remaining eleven (11) months of the contract and the extension options is contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

Approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Shea out of the room.

34. Approve execution of a twelve (12) month supply agreement with UNIFORMS OF TEXAS, INC., San Antonio, Texas, for the purchase of fire retardant uniform trousers and blue shirts to be worn by the personnel of the City of Austin Fire Department, in an amount not to exceed \$113,777 with the option to extend for two (2) additional twelve (12) month periods in an amount not to exceed \$113,777 for each option period, for a total amount not to exceed \$341,331. [Funding in the amount of \$9,841 is available in the 1993-94 operating budget of the Fire Department. Funding in the amount of \$104,296 for the final eleven (11) months of the original

contract period and the extension options will be contingent upon available funding in future budgets.] Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.

Approved

35. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 29.648 acres of land out of The Santiago Del Valle Ten League Grant Survey, Abstract No. 24 in Travis County, Texas, owned by Onion Creek Enterprises, Inc. for the Land Acquisition Program, New Austin Airport at Bergstrom Project. (Appraised value is \$11,900.00)

Approved

Austin Industrial Development Corporation (Items 36-38)

36. Appoint Council Members Gus Garcia, Jackie Goodman, Brigid Shea and Eric Mitchell to the Board of Directors of the Austin Industrial Development Corporation.

Approved

37. Authorize the 1993-94 budget of the Austin Industrial Development Corporation. (Funding in the amount of \$3,000 is available in the Austin Industrial Development Corporation Fund.)

Approved

38. Authorize the 1994-95 budget of the Austin Industrial Development Corporation. (Funding in the amount of \$7,000 is available in the Austin Industrial Development Corporation Fund.)

Approved

39. Authorize the release of the City's reacquisition interest in any portion of any street or alley south of the North boundary line of West 35th Street vacated by Ordinance No. 670817-B. (No fiscal impact)

Approved

40. Set a public hearing to gather citizen input on proposed amendments to Chapter 13-7, Article III, Landscaping, of the Land Development Code, which sets out requirements for landscaping commercial sites. The proposed amendments will increase the efficient use of water through the use of water efficient strategies, plant materials and irrigation systems. (Suggested date: September 15, 1994 at 5:30 p.m.)

Approved

ITEMS FROM COUNCIL

41. Approve a resolution directing the City Manager to develop a procedure for the handling of City Council project requests. (Councilmember Ronney Reynolds and Mayor Bruce Todd)

Approved

42. Approve a resolution approving the City of Austin's co-sponsorship with the Travis County Veterans' Day Parade Committee for the Annual Capital City Veterans Day Parade to be held on November 11, 1994. (Councilmembers Gus Garcia and Eric Mitchell)

Approved

43. Initiate an amendment to Ordinance No. 740307-A to add two members to the Historic Landmark Commission. (Councilmembers Gus Garcia and Jackie Goodman)
Approved

Items 34-43 approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

44. C14-94-0082 - DELEON AND ASSOCIATES, INC. (Samuel Deleon), by Fatter & Evans Architects (Mervin Fatter), 1610 South 1st Street and 607 West Monroe. From SF-3 & CS to CS-MU & NO-CO. Planning Commission Recommendation: To Grant CS-MU-CO, Commercial Services-Mixed Use Combining District-Conditional Overlay for Tract 1 and NO-CO, Neighborhood Office-Conditional Overlay for Tract 2, subject to: (1) limit development, on combined tracts, to uses that would generate less than 2,000 vehicle trips-per-day; and (2) compliance with an Integrated Pest Management Program.
Ordinance No. 940901-J approved
45. C14-94-0087 - W.H. RICHARDSON CO., INC. (J.C. Pollard), 3708 Woodbury Drive. From I-SF-3 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, zoning with provisions of the conditional overlay as follows: (1) development should be limited to a level that generates less than 2,000 vehicle trips-per-day; and (2) dedication of 40 feet of right-of-way from the existing centerline of Woodbury Drive in accordance with the Transportation Manual, Land Development Code, Section 13-5-9.
Approved 1st Reading Only

Items 44-45 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Councilmember Garcia out of the room.

46. C14-94-0089 - PRADZYNSKI LIVING TRUST (Andrzej Pradzynski), by MGC Engineering (Sam Mikhail), 5405 Jeff Davis Avenue. From SF-3 to MF-4. Planning Commission Recommendation: To Grant MF-3, Multifamily Residence (medium density), zoning with the condition that the applicant shall dedicate 30 feet of right-of-way from the centerline of Jeff Davis Avenue.
Closed public hearing and approved 1st reading only of staff and Planning Commission recommendation on Councilmember Shea's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Garcia out of the room.
47. C14-94-0090 - LITTLEFIELD-TRAVIS PROPERTIES, LTD. (Will G. Shepherd, A.I.A.), 701 West Longspur Boulevard. From GR to MF-2. Planning Commission Recommendation: To Grant MF-2, Multifamily Residence (low density) and RR, Rural Residence, for the area determined to be within the 100-year floodplain.
Postponed until September 29, 1994
48. C14-94-0092 - MILBURN INVESTMENTS, INC. (Paul D. Shepherd), Westgate Circle and West Slaughter Lane. From I-RR to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single Family Residence (small lot) for Tract 1 and SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay for Tract 2, subject to

prohibit direct access from Crowns Point Drive and Firecrest to Westgate Boulevard by incorporating a ninety degree movement before connection to Westgate Boulevard. Ordinance No. 940901-K approved

49. C14-94-0093 - TRINITY COVENANT BAPTIST CHURCH (Jason Sidler), by A.R. Throver Design (Ron Throver), East Yager Lane and Jourdan Crossing Boulevard. From DR to Tract 1: LO & Tract 2: SF-2. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay for Tract 1 and SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay for Tract 2 subject to: (1) limiting development to generate less than 2,000 vehicle trips-per-day, and (2) compliance with an Integrated Pest Management Program.
Approved 1st Reading Only
50. C14-94-0094 - W. Harvey Smith (Danny Smith), by A.R. Throver Design (Ron Throver), 140' East of St. Elmo Road and S. Congress Ave. From I-SF-3 to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning, subject to the following conditions: (1) limit land uses and intensities to those which will not exceed 2,000 vehicle trips-per-day; and (2) prohibit pawn shops and adult oriented business.
Ordinance No. 940901-L approved
51. C14-94-0095 - CITY OF AUSTIN - DEPARTMENT OF PUBLIC WORKS (Maria Guerra), 1111 Rio Grande Street. From GO to P. Planning Commission Recommendation: To Grant P, Public District, zoning as requested.
Ordinance No. 940901-M approved

Items 48-51 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Councilmember Garcia out of the room.

52. C14-94-0096 - VELMA MCCARTY HARGRAVE (Claude Hargrave), by Bob Honts Properties (Bob Honts), 909 & 915 East St. Elmo Road. From SF-3 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, zoning, subject to: (1) dedication of up to 40' of right-of-way from the existing centerline of St. Elmo Road; (2) limit land uses and intensities to those which will not exceed 2,000 vehicle trips-per-day; and recommend that Council request applicant to agree to an Integrated Pest Management Program.
Closed public hearing on Councilmember Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

Approve ordinance with restrictive covenant on Councilmember Mitchell's motion, Councilmember Reynolds' second.

Substitute motion to approve Ordinance No. 940901-S with restrictive covenant for Integrated Pest Management Program but delete dedication of up to 40' of right-of-way from the existing centerline of St. Elmo Road by Councilmember Goodman, seconded by Councilmember Shea, 5-2 vote, Councilmembers Mitchell and Reynolds voting NO.

53. C14-94-0099 - HOWARD G. PAPKE, 408 Ralph Ablanado Drive. From GR to SF-1. Planning Commission Recommendation: To Grant SF-1, Single Family Residence (large lot), zoning as requested.
Ordinance No. 940901-N approved

54. C14-94-0100 - CEDAR WILLOW CREEK, LTD. (F.S. Rebeiz), by Shelton Realty Consultants (Marty Shelton), 2421 East Oltorf Street and 2301 to 2363 Douglas Street. From RR, MF-1 & GR to Tract 1: MF-3; Tract 2 & 3: MF-2. Planning Commission Recommendation: To Deny MF-3, Multifamily Residence (medium density), zoning for Tract 1; MF-2, Multifamily Residence (low density), zoning for Tract 2 & 3.
Postponed until September 15, 1994
55. C14-94-0101 - BENELUX CORP. (Tom Stamatopoulos), by Minter, Joseph & Thornhill, P.C. (Kenneth Brown), 501 E. Ben White Boulevard. From LI to CS-1. Planning Commission Recommendation: To Grant CS-1-CO, Commercial Liquor Sales-Conditional Overlay, zoning, subject to the following conditions: (1) development shall be limited to uses that will generate less than 2,000 vehicle trips-per-day; and (2) prohibit pawn shops.
Ordinance No. 940901-0 approved
56. C14-94-0103 - HANS DEROCHE, Old Bee Caves Road and Landscape Drive. From LR to SF-6. Planning Commission Recommendation: To Grant SF-6, Townhouse and Condominium Residence, zoning as requested.
Ordinance No. 940901-P approved
57. C14-94-0104 - CHARLES E. BROWN, by McCann and Associates (Mike McCann), 709 Rio Grande Street. From GO to GO-MU. Planning Commission Recommendation: To Grant GO-MU, General Office-Mixed Use, zoning.
Ordinance No. 940901-Q approved
58. C14-94-0105 - FRANK COVERT III, ET AL (Frank Covert), by Graves, Dougherty, Hearon & Moody (Wm. Terry Bray), South IH-35 Service Road NB and St. Elmo Road. From SF-3 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning, subject to limiting development to those uses which will generate less than 2,000 vehicle trips-per-day, and compliance with an Integrated Pest Management Program.
Approved 1st Reading Only
59. C14-94-0107 - CITY OF AUSTIN - DEPARTMENT OF PLANNING AND DEVELOPMENT, 501 & 503 East Riverside Drive. From MF-4-NCCD to SF-3-NCCD. Planning Commission Recommendation: To Grant SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, zoning.
Ordinance No. 940901-R approved
60. C14-94-0108 - EWING PROPERTIES (Mike Pacillio), by Bury & Pittman (James B. Knight), 9600 to 9900 North Mo-Pac Service Road NB. From CS & P to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning. The provisions of the conditional overlay limits the development as follows: (1) Development shall be limited to less than 2,000 vehicle trips-per-day; and (2) Except as otherwise permitted by an authorized representative of the Environmental and Conservation Services Department, the owner shall maintain an undisturbed buffer zone on the property no less than 50 feet in width along the Capital of Texas Highway and MoPac.
Approved 1st Reading Only

61. C14-94-0084 - Tract 1: LINK CAN CORP. (Thomas E. Link), Tract 2: FORREST C. WALKER, ET AL, by Blazier, Rutland & Lerner P.C. (Roy Rutland III), 606 & 700 Chaparral Road. From SF-2 to NO-MU. Planning Commission Recommendation: To grant NO-MU-CO, Neighborhood Office-Mixed Use-Conditional Overlay, subject to (1) dedication of up to 35 ft. of right-of-way from the centerline of Chyaparral Road, and (2) subject to limiting development to no more than 600 additional vehicle trips-per-day.
Approved 1st Reading Only

Items 53-61 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Councilmember Garcia out of the room.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

62. 5:00 P.M. - Public Hearing on Utility Rates.
Closed public hearing on Mayor Pro Tem Nofziger's motion, Councilmember Shea's second, 6-0 vote, Councilmember Mitchell out of the room.
63. 6:30 P.M. - Public hearing to approve 3.151 acres temporary and 0.742 acres permanent drainage use and 0.346 acres temporary and 0.128 acres permanent wastewater use through dedicated parkland known as Givens Park in accordance with Chapter 26.001 of the Texas Parks and Wildlife Code.

Closed public hearing on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Mitchell and Shea out of the room.

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 5-0 vote, Councilmembers Mitchell and Shea out of the room.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session was held on the morning of this date.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on the agenda.

Pending/Contemplated Litigation - Section 551.071

64. Discuss Williamson Pointe Venture v. City of Austin, Cause No. 93-09435.
65. Discuss status of Jerry J. Quick, et al v. City of Austin, Cause No. 92-0637.

ACTION ON THE FOLLOWING

66. Authorize settlement of Robert Van Williams v. City of Austin, Cause No. 424,970. Authorized settlement of \$230,000.00 on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

67. APPOINTMENTS

**DISPARITY STUDY COMMITTEE - Associated General Contractors of Texas, Highway Heavy: NOMINEE, BILL DRISKILL
Travis Chapter, Texas Society of Professional Engineers: NOMINEE, CARROLL FAULKNER; ALTERNATE, JACK EVANS
Texas Society of Certified Public Accountants: NOMINEE, RICK MENDOZA
Construction Advisory Commission: ALTERNATE, BILL CLAVSON
Human Rights Commission: NOMINEE, ELIZABETH HANSHAW-ROSS; ALTERNATE, JOHN MEDRANO
Austin Minority and Women Alliance: NOMINEE, CARMELO MACIAS; ALTERNATE, ROBERT MARTINEZ**

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

PLANNING COMMITTEE - CONSENSUS REPRESENTATIVES OF COUNCIL - Smoot Carl-Mitchell, Ben Heimsath, Able Ruiz, David Smith, John Rosato

Approved on Councilmember Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

ADDENDUM

ITEMS FROM COUNCIL (continued)

68. Discuss billings and questions from Council Member Reynolds' Office contained in a memorandum to the City Manager dated August 15, 1994 concerning work performed under a contract regarding ONRW designation for Barton Creek/Barton Springs and designation of the Barton Springs Salamander as an endangered species.
(Councilmembers Ronney Reynolds and Eric Mitchell)
Deleted

ADJOURN at 10:20 p.m. on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmembers Mitchell and Shea out of the room.

The Council recessed from 3:15 until 4:00 p.m. on Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

The Council recessed from 4:25 until 5:00 p.m. on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

Approved this the 8th day of September, 1994, on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.